

## **EPA Researchers Assess PRP Report on Potential SSE and RIM Contact**

EPA's top researchers in the Office of Research and Development have completed a critical assessment of the PRP's report on what could happen if the sub-surface smoldering event in the Bridgeton Landfill came in contact with the radiologically-impacted material (RIM) at the West Lake site. The EPA's experts emphasize there is an extremely low probability of this occurring.

Regardless, the EPA's work continues apace to finalize an assessment on the location of RIM and to get the order to the PRPs in place to construct an isolation barrier that would ensure the Bridgeton event and the RIM remain separate while a final remedy for the site is determined. As we reported recently, the EPA is also in discussions with the Army Corps of Engineers in St. Louis and Kansas City to seek their assistance in providing construction management. The St. Louis District of the Corps of Engineers has a team that is uniquely qualified on RIM projects and the Kansas City District has exceptional construction management experience.

The ORD review is posted online and available at:

[http://www.epa.gov/region7/cleanup/west\\_lake\\_landfill/](http://www.epa.gov/region7/cleanup/west_lake_landfill/)

## **EPA Partnership with USGS:**

EPA Region 7 has partnered with the United States Geological Survey (USGS) at the West Lake Landfill Site since 2013. The USGS is a governmental science organization that provides impartial information on the health of our ecosystems and environment. As the national governmental experts on groundwater, geology and hydrogeology, USGS's partnership with EPA brings the best and the brightest scientists to the West Lake site team.

The EPA partnership with USGS is administered under an Interagency Agreement, outlining the scope of cooperation between the two agencies. Some of the work that USGS is doing for EPA includes off-site groundwater sampling and evaluating groundwater data related to the site.

## **David Hoefer Bio:**

In addition to the complex scientific and engineering models and theories required to bring a Superfund site back to public use, there are a great deal of legal forces at play. In fact, without the enforcement laws at the EPA's disposal a site like West Lake would never be listed as a Superfund site and no Potentially Responsible Party would ever be named. The result...we would not be in a position to enforce a cleanup or mitigation of a site like West Lake.

One of the driving legal authorities behind the West Lake Superfund site at EPA's Region 7 is David Hoefer. An attorney with EPA since 1990, David is currently the Chief of the Superfund Branch in Region 7's Office of Regional Counsel. David manages the legal aspects of the West Lake site for Region 7, which includes two parts enforcement and one part negotiation with the Potentially Responsible Parties.

Prior to serving as Chief of the Superfund Branch, David served as an attorney working with the Superfund program on National Priorities List sites throughout Region 7. His work ensured correct site response and enforcement for many significant sites. David earned his bachelors from Regis University in Denver, and his law degree from the University of Missouri - Kansas City.

**Superfund Enforcement Section:**

Critical to the success of David Hoefer and the EPA is the Superfund law. The law provides EPA broad enforcement authorities to compel responsible parties to perform investigations and clean-up actions at contaminated sites. This law keeps the cost to the taxpayer at a minimum while keeping it on the shoulders of those potentially responsible for the environmental problem.

EPA identifies those responsible for contamination at a site and pursues a “polluter pays” approach to obtaining site clean-up. If a responsible party does not agree to do the required investigation and clean-up, EPA has the legal authority to issue an order compelling it to conduct work, or EPA may work with the U.S. Department of Justice to pursue the party through litigation. EPA may also assess penalties against parties who do not cooperate, and may conduct the work itself through use of the Superfund and then sue the parties for recovery of its costs. We have a lot more information about Superfund enforcement authorities on our web site <http://www2.epa.gov/enforcement/superfund-enforcement>.